

Please type a plus sign (+) inside this box

+

PTO/SB/021 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/855,932
Filing Date	May 15, 2001
First Named Inventor	Tommy F. BROOKEY
Group Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	1894-00733

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> <b>Supplemental Information Disclosure Statement</b> <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment (for an application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> <b>Other Enclosure(s) (please identify below):</b> <p>Two (2) PTO-1449 Forms; Five (5) Additional Cited References; and Acknowledgement Postcard.</p>
--	--	--

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	LESLIE V. PAYNE
Signature	<i>Leslie V. Payne</i>
Date	August 6, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class U.S. mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: August 6, 2001

Typed or Printed Name	Carolyn Nivens
Signature	<i>Carolyn Nivens</i>
Date	August 6, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

<b>FEE TRANSMITTAL</b> <b>for FY 2001</b> <i>Patent fees are subject to annual revision.</i>		<b>Complete if Known</b>	
		Application Number	09/855,932
		Filing Date	May 15, 2001
		First Named Inventor	Tommy F. BROOKEY
		Examiner Name	Not Yet Known
TOTAL AMOUNT OF PAYMENT \$		Group Art Unit	Not Yet Known
		Attorney Docket No.	1894-00733

<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																													
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number: 03-2769 Deposit Account Name: Conley, Rose & Tayon, P.C. <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105 130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td><td>\$</td></tr> <tr><td>127 50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td>139 130</td><td>139 130</td><td>Non-English specification</td><td>\$</td></tr> <tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td>\$</td></tr> <tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>\$</td></tr> <tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>\$</td></tr> <tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td>\$</td></tr> <tr><td>116 390</td><td>216 195</td><td>Extension for reply within second month</td><td>\$</td></tr> <tr><td>117 890</td><td>217 445</td><td>Extension for reply within third month</td><td>\$</td></tr> <tr><td>118 1,390</td><td>218 695</td><td>Extension for reply within fourth month</td><td>\$</td></tr> <tr><td>128 1,890</td><td>228 945</td><td>Extension for reply within fifth month</td><td>\$</td></tr> <tr><td>119 310</td><td>219 155</td><td>Notice of Appeal</td><td>\$</td></tr> <tr><td>120 310</td><td>220 155</td><td>Filing a brief in support of an appeal</td><td>\$</td></tr> <tr><td>121 270</td><td>221 135</td><td>Request for oral hearing</td><td>\$</td></tr> <tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td>\$</td></tr> <tr><td>140 110</td><td>240 55</td><td>Petition to revive - unavoidable</td><td>\$</td></tr> <tr><td>141 1,240</td><td>241 620</td><td>Petition to revive - unintentional</td><td>\$</td></tr> <tr><td>142 1,240</td><td>242 620</td><td>Utility issue fee (or reissue)</td><td>\$</td></tr> <tr><td>143 440</td><td>243 220</td><td>Design issue fee</td><td>\$</td></tr> <tr><td>144 600</td><td>244 300</td><td>Plant issue fee</td><td>\$</td></tr> <tr><td>122 130</td><td>122 130</td><td>Petitions to the Commissioner</td><td>\$</td></tr> <tr><td>123 50</td><td>123 50</td><td>Petitions related to provisional applications</td><td>\$</td></tr> <tr><td>126 180</td><td>126 180</td><td>Submission of Information Disclosure Stmt</td><td>\$</td></tr> <tr><td>581 40</td><td>581 40</td><td>Recording each patent assignment per property (times number of properties)</td><td>\$</td></tr> <tr><td>146 710</td><td>246 355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td>\$</td></tr> <tr><td>149 710</td><td>249 355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td>\$</td></tr> <tr><td>179 710</td><td>279 355</td><td>Request for Continued Examination (RCE)</td><td>\$</td></tr> <tr><td>169 900</td><td>169 900</td><td>Request for expedited examination of a design application</td><td>\$</td></tr> <tr><td colspan="3">Other fee (specify)</td><td>\$</td></tr> <tr><td colspan="3">*Reduced by Basic Filing Fee Paid</td><td><b>SUBTOTAL (3) \$</b></td></tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 65	Surcharge - late filing fee or oath	\$	127 50	227 25	Surcharge - late provisional filing fee or cover sheet	\$	139 130	139 130	Non-English specification	\$	147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	\$	112 920*	112 920*	Requesting publication of SIR prior to Examiner action	\$	113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	\$	115 110	215 55	Extension for reply within first month	\$	116 390	216 195	Extension for reply within second month	\$	117 890	217 445	Extension for reply within third month	\$	118 1,390	218 695	Extension for reply within fourth month	\$	128 1,890	228 945	Extension for reply within fifth month	\$	119 310	219 155	Notice of Appeal	\$	120 310	220 155	Filing a brief in support of an appeal	\$	121 270	221 135	Request for oral hearing	\$	138 1,510	138 1,510	Petition to institute a public use proceeding	\$	140 110	240 55	Petition to revive - unavoidable	\$	141 1,240	241 620	Petition to revive - unintentional	\$	142 1,240	242 620	Utility issue fee (or reissue)	\$	143 440	243 220	Design issue fee	\$	144 600	244 300	Plant issue fee	\$	122 130	122 130	Petitions to the Commissioner	\$	123 50	123 50	Petitions related to provisional applications	\$	126 180	126 180	Submission of Information Disclosure Stmt	\$	581 40	581 40	Recording each patent assignment per property (times number of properties)	\$	146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	\$	149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	\$	179 710	279 355	Request for Continued Examination (RCE)	\$	169 900	169 900	Request for expedited examination of a design application	\$	Other fee (specify)			\$	*Reduced by Basic Filing Fee Paid			<b>SUBTOTAL (3) \$</b>
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																												
105 130	205 65	Surcharge - late filing fee or oath	\$																																																																																																																												
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	\$																																																																																																																												
139 130	139 130	Non-English specification	\$																																																																																																																												
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	\$																																																																																																																												
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	\$																																																																																																																												
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	\$																																																																																																																												
115 110	215 55	Extension for reply within first month	\$																																																																																																																												
116 390	216 195	Extension for reply within second month	\$																																																																																																																												
117 890	217 445	Extension for reply within third month	\$																																																																																																																												
118 1,390	218 695	Extension for reply within fourth month	\$																																																																																																																												
128 1,890	228 945	Extension for reply within fifth month	\$																																																																																																																												
119 310	219 155	Notice of Appeal	\$																																																																																																																												
120 310	220 155	Filing a brief in support of an appeal	\$																																																																																																																												
121 270	221 135	Request for oral hearing	\$																																																																																																																												
138 1,510	138 1,510	Petition to institute a public use proceeding	\$																																																																																																																												
140 110	240 55	Petition to revive - unavoidable	\$																																																																																																																												
141 1,240	241 620	Petition to revive - unintentional	\$																																																																																																																												
142 1,240	242 620	Utility issue fee (or reissue)	\$																																																																																																																												
143 440	243 220	Design issue fee	\$																																																																																																																												
144 600	244 300	Plant issue fee	\$																																																																																																																												
122 130	122 130	Petitions to the Commissioner	\$																																																																																																																												
123 50	123 50	Petitions related to provisional applications	\$																																																																																																																												
126 180	126 180	Submission of Information Disclosure Stmt	\$																																																																																																																												
581 40	581 40	Recording each patent assignment per property (times number of properties)	\$																																																																																																																												
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	\$																																																																																																																												
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	\$																																																																																																																												
179 710	279 355	Request for Continued Examination (RCE)	\$																																																																																																																												
169 900	169 900	Request for expedited examination of a design application	\$																																																																																																																												
Other fee (specify)			\$																																																																																																																												
*Reduced by Basic Filing Fee Paid			<b>SUBTOTAL (3) \$</b>																																																																																																																												
<b>2. EXTRA CLAIM FEES</b> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>20**</td><td>= * x</td><td>18.00</td><td>= \$</td></tr> <tr><td>3**</td><td>= * x</td><td>80.00</td><td>= \$</td></tr> <tr><td colspan="2">Multiple Dependent</td><td>270.00</td><td>= \$ 00.00</td></tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103 18</td><td>203 9</td><td>Claims in excess of 20</td></tr> <tr><td>102 80</td><td>202 40</td><td>Independent Claims in excess of 3</td></tr> <tr><td>104 270</td><td>204 135</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>109 80</td><td>209 40</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>110 18</td><td>210 9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> <b>SUBTOTAL (2) \$</b> ** or number previously paid, if greater; For Reissues, see above		Total Claims	Extra Claims	Fee from below	Fee Paid	20**	= * x	18.00	= \$	3**	= * x	80.00	= \$	Multiple Dependent		270.00	= \$ 00.00	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	103 18	203 9	Claims in excess of 20	102 80	202 40	Independent Claims in excess of 3	104 270	204 135	Multiple dependent claim, if not paid	109 80	209 40	** Reissue independent claims over original patent	110 18	210 9	** Reissue claims in excess of 20 and over original patent																																																																																												
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																												
20**	= * x	18.00	= \$																																																																																																																												
3**	= * x	80.00	= \$																																																																																																																												
Multiple Dependent		270.00	= \$ 00.00																																																																																																																												
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description																																																																																																																													
103 18	203 9	Claims in excess of 20																																																																																																																													
102 80	202 40	Independent Claims in excess of 3																																																																																																																													
104 270	204 135	Multiple dependent claim, if not paid																																																																																																																													
109 80	209 40	** Reissue independent claims over original patent																																																																																																																													
110 18	210 9	** Reissue claims in excess of 20 and over original patent																																																																																																																													

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	LESLIE V. PAYNE	Registration No. (Attorney/Agent)	38,267
Signature	<i>Leslie V. Payne</i>	Telephone	(713) 238-8000
		Date	August 6, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.